

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Action No. 10-20388-1

vs.

HON. MARK A. GOLDSMITH

D-1 LAMONTE WATSON, JR.,

Defendant.

_____ /

ORDER STRIKING DOCKET ENTRY NOS. 202 & 203

Defendant Lamonte Watson, Jr. is represented in this action by counsel, Amy Grace Gierhart. Nevertheless, acting *pro se*, Defendant filed a Motion to Dismiss for Ineffective Assistance of Counsel (DE #202) and a Notice of Joinder/Concurrence in Motions by Co-Defendants (DE #203) on December 9, 2010.

Since Defendant is represented by counsel, Defendant is attempting to proceed in a “hybrid” fashion, both through counsel and *pro se* by way of his submission. *See McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984). Although the Sixth Amendment guarantees defendants the right to conduct their own defense by representing themselves, *see Faretta v. California*, 422 U.S. 806 (1975), the right of self-representation does not include the right to proceed in a hybrid manner. *See McKaskle*, 465 U.S. at 183 (“*Faretta* does not require a trial judge to permit ‘hybrid’ representation”). *See also United States v. Mosely*, 810 F.2d 93, 97-98 (6th Cir. 1987) (“the question whether to allow a defendant to participate in his own defense along with counsel in ‘hybrid representation’ is a matter committed to the sound discretion of the trial court”).

The Court, in the exercise of its discretion, will not permit Defendant to proceed in a hybrid manner. Therefore, Defendant’s *pro se* submissions—docket entry numbers 202 and 203—are stricken from the record. Any relief sought by Defendant must be sought through counsel unless

Defendant elects to exercise his right to proceed without counsel.

SO ORDERED.

Dated: December 9, 2010
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on December 9, 2010.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager